



Food and  
Nutrition  
Service

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DATE: March 17, 2023

MEMO CODE: SP 10-2023

SUBJECT: Updated Title I Guidance for Making Within District Allocations

TO: Regional Directors  
Special Nutrition Programs  
All Regions

State Directors  
Child Nutrition Programs  
All States

<b>Issuing Agency/Office:</b>	Food and Nutrition Service/Child Nutrition Programs
<b>Title of Document:</b>	Updated Title I Guidance for Making Within District Allocations
<b>Document ID:</b>	
<b>Z-RIN:</b>	
<b>Date of Issuance:</b>	March 17, 2023
<b>Replaces:</b>	Not Applicable
<b>Summary:</b>	(1) This guidance applies to State agencies and school food authorities administering the National School Lunch Program and the School Breakfast Program (2) This guidance provides clarification on requirements for making within-district Title I allocations

**Purpose**

The purpose of this memo is to share updated guidance from the U.S. Department of Education (ED) for making within-district Title I allocations under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA).

**Background**

The Community Eligibility Provision (CEP), as authorized by the Richard B. Russell National School Lunch Act, 42 USC 1759a(a)(1)(F), allows participating schools to offer healthy, free breakfasts and lunches to all students without requiring their families to complete individual applications.

To support local educational agencies (LEAs) electing CEP, in 2015, the U.S. Department of Education (ED) published the following guidance that explains how

LEAs can successfully implement Title I requirements using National School Lunch Program (NSLP) data while operating CEP: [The Community Eligibility Provision and Selected Requirements Under Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended](#). In April 2015, USDA shared this guidance in SP 35-2015, [Community Eligibility Provision: Revised Department of Education Title I Guidance](#). Requirements regarding within-district Title I allocations were one of the topics covered in this guidance.

### **Updated ED Guidance**

In February 2022, ED released updated guidance titled “[Within-District Allocations Under Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended](#).” The guidance discusses provisions that govern within-district Title I allocations under the ESEA and supersedes the section in the 2015 guidance entitled “Within-District Allocations.”

The ED guidance notes that the questions and responses in the CEP section (Appendix A) are reprinted, with generally minor updates (e.g., for dates, website links, and citations) from relevant sections of [The Community Eligibility Provision and Selected Requirements Under Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended](#). The question numbers from the original guidance are provided in parentheses for the reader’s awareness.

State agencies are reminded to distribute this memorandum to Program operators immediately. Program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

Sincerely,

Tina Namian  
Director  
School Meals Policy Division